

Exhibit 2
to Declaration of Mark Mao
in Support of Plaintiffs’
Motion for Relief from Case
Management Schedule

Public Redacted Version

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANIBAL RODRIGUEZ, JULIEANNA)
MUNIZ, ELIZA CAMBAY, SAL) Case No.:
CATALDO, EMIR GOENAGA, JULIAN) 3:20-cv-04688
SANTIAGO, HAROLD NYANJOM, KELLIE)
NYANJOM, and SUSAN LYNN HARVEY,)
individually and on behalf of all)
others similarly situated,)
)
Plaintiffs,)
vs.)
)
GOOGLE LLC,)
)
Defendant.)
-----)

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY
REMOTE PROCEEDINGS OF THE
VIDEOTAPED DEPOSITION OF GREG FAIR
MONDAY, OCTOBER 3, 2022

REPORTED BY NANCY J. MARTIN
CSR. NO. 9504, RMR, RPR
PAGES 1-256

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANIBAL RODRIGUEZ, JULIEANNA)
MUNIZ, ELIZA CAMBAY, SAL) Case No.:
CATALDO, EMIR GOENAGA, JULIAN) 3:20-cv-04688
SANTIAGO, HAROLD NYANJOM, KELLIE)
NYANJOM, and SUSAN LYNN HARVEY,)
individually and on behalf of all)
others similarly situated,)
)
Plaintiffs,)
vs.)
)
GOOGLE LLC,)
)
Defendant.)
-----)

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

- - -
MONDAY, OCTOBER 3, 2022
- - -

Remote Videotaped Deposition of GREG FAIR,
beginning at 8:37 a.m., before Nancy J. Martin, a
Registered Merit Reporter, Certified Shorthand
Reporter. All parties appeared remotely.

A P P E A R A N C E S :

RYAN MCGEE, ESQ.

MORGAN & MORGAN

201 North Franklin Street

7th Floor

Tampa, Florida 33602

(813) 223-0931

rmcgee@forthepeople.com

Counsel for Plaintiff

EDUARDO E. SANTACANA, ESQ.

HARRIS MATEEN, ESQ.

WILLKIE FARR & GALLAGHER LLP

One Front Street

34th Floor

San Francisco, California 94111

ESantacana@willkie.com

Counsel for Defendant Google

ALSO PRESENT:

JOHN JANHUNEN, GOOGLE IN-HOUSE COUNSEL

SEAN GRANT, LEGAL VIDEOGRAPHER

I N D E X

TESTIMONY OF GREG FAIR PAGE

BY MR. McGEE 8

E X H I B I T S

NUMBER DESCRIPTION PAGE

Exhibit 82 LinkedIn Profile, 1 page 16

Exhibit 83 Google "How to take data
with you," 1 page 75

Exhibit 84 E-mail string, 120

GOOG-RDGZ-00156520, 6 pages

Exhibit 85 Google Analytics and Google 145

Analytics for Firebase on
Alphabet Properties Policy,
8 pages

Exhibit 86 E-mail string, 153

GOOG-RDGZ-00156004,
2 pages

Exhibit 87 E-mail string, 157

GOOG-RDGZ-00157467,
6 pages

Exhibit 88 E-mail string, 167

GOOG-RDGZ-00157500,
2 pages

Exhibit 89 E-mail string, 174

GOOG-RDGZ-00127984,
5 pages

Exhibit 90 Retention Controls 183

Comprehension,
GOOG-RDGZ-00151992,
49 pages

1	E X H I B I T S		
2	NUMBER	DESCRIPTION	PAGE
3	Exhibit 91	E-mail string, GOOG-RDGZ-00159759,	201
4		2 pages	
5	Exhibit 92	E-mail, GOOG-RDGZ-00157104,	204
6		1 page	
7	Exhibit 93	E-mail, GOOG-RDGZ-00157962,	207
8		7 pages	
9	Exhibit 94	PDPO Staples v1: Privacy Products, October 13, 2020,	216
10		20 pages	
11	Exhibit 95	GAIA: Na [REDACTED] 3 Auth,	225
12		GOOG-RDGZ-00128875,	
13		4 pages	
14	Exhibit 96	E-mail string,	228
15		GOOG-RDGZ-00150204,	
16		6 pages	
17	Exhibit 97	PPR Product Meeting 11 Sept 2017, GOOG-RDGZ-00150280,	237
18		4 pages	
19	Exhibit 98	User Attributes Owned by IdAM, GOOG-RDGZ-00188356,	242
20		8 pages	
21			
22			
23			
24			
25			

1 that are specific in the identity space.

2 Q. What is the "IdAM team"? What does that
3 stand for?

4 A. I can't remember. It's one of the UX teams.

5 Q. Mr. Fair, during your time at Google, are you
6 familiar with whether Google conducted any analysis of
7 revenue impacts for users who turned off WAA? Do you
8 know if Google did that, and are you familiar with any
9 studies or analyses?

10 A. Yes, I am.

11 Q. And could you tell me more about that?

12 A. During my time at Google, some of the
13 analysis that was done was trying to look at the
14 revenue impacts of certain privacy settings.

15 Q. And one of those was WAA?

16 A. I believe so.

17 Q. Do you recall who was involved with that
18 analysis?

19 A. The work that was done on this was primarily
20 driven by the product manager I mentioned earlier, who
21 was running consent. He was the lead on that, and the
22 analytics lead that we primarily worked through was
23 our analytics lead. It was kind of -- obviously that
24 data, if it were easy to get to, it would just be
25 there. There was work to be done to try and attempt

1 to just estimate what it might be. So it wasn't just
2 available to those people.

3 Q. Who was the analytics lead that was working
4 on this?

5 A. Micha Segeritz.

6 Q. Can you spell that, please.

7 A. M-i-c-h-a, S-e-g-e-r-i-t-z.

8 Q. And then if you could just remind me of the
9 PM.

10 A. Suneeti Vakharia. Suneeti Vakharia.

11 Q. Do you know if Suneeti Vakharia still works
12 with Google?

13 A. I believe she does.

14 Q. And do you know if Micha Segeritz still works
15 at Google?

16 A. I don't believe, but I would imagine I would
17 have heard if he weren't still there.

18 Q. And do you know when this revenue impact
19 analysis or study would have been conducted?

20 A. It wasn't as straightforward as a revenue
21 impact study. It was a kind of series of questions
22 and explorations about how and whether that might be
23 data that is possible to even be gotten. So I guess I
24 would characterize it as a study. But roughly the
25 tail end of the 2010's.

1 Q. And so when you say, "the tail end of the
2 2010's" --

3 A. Like -- I don't remember. But definitely
4 after 2015, definitely before 2021.

5 Q. Did you ever see -- I guess I should ask.
6 How do you know that those two individuals were
7 leading an effort that you just described?

8 A. Because it was a continuation of some work
9 that I had initially started an exploration of consent
10 flows before -- when I managed the consent team more
11 directly.

12 Q. When you "managed the consent team"...

13 A. Directly. I ended up -- eventually I was the
14 manager of the product managers who worked on various
15 aspects of privacy products, but for a very long time
16 I was the consent PM at Google.

17 Q. Do you know if there are any dashboards at
18 Google that would show the amount of users who have
19 WAA turned on?

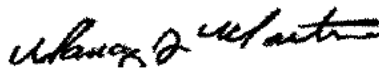
20 A. I have -- I remember seeing dashboards. I
21 don't know where they are right now though.

22 Q. What are the names of the dashboards that
23 would reflect whether a user had WAA on --

24 A. They didn't really have names. Remember,
25 it's simply like any product is going to have basic

C E R T I F I C A T E

I do hereby certify that the aforesaid testimony was taken before me, pursuant to notice, at the time and place indicated; that said deponent was by me duly sworn to tell the truth, the whole truth, and nothing but the truth; that the testimony of said deponent was correctly recorded in machine shorthand by me and thereafter transcribed under my supervision with computer-aided transcription; that the deposition is a true and correct record of the testimony given by the witness; and that I am neither of counsel nor kin to any party in said action, nor interested in the outcome thereof.



Nancy J. Martin, RMR, CSR

Dated: October 5, 2022

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying shorthand reporter.)